## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MITANI, et al. Examiner: A. Bertagna

Serial No.: 10/532,975 Group Art Unit: 1637

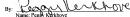
Filed: April 28, 2005 Docket: 20078.0005USWO

Title: PROCESS FOR AMPLIFYING NUCLEIC ACIDS

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper is being transmitted by EFS Web to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA

22313-1450 on October 20, 2009.



## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form SB08 are brought to the attention of the Examiner. The reference was originally cited by the Examiner in co-pending matter Serial No. 10/583706. A copy of the Form 892 issued by the Examiner and mailed September 29, 2009 is enclosed. Copies of any foreign patent documents or "Other Documents" are enclosed.

In accordance with the provisions of 37 C.F.R.  $\S1.97$ , this statement is being filed (CHECK ONE):

(CHECK ONE):

(1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or

(2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and

the requisite Statement is below, OR

the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or

(3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND the requisite Statement is below AND the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

## STATEMENT

Applicants hereby state that:				
		Statement was first in a counterpart app	lication or by the USPTO nths prior to the filing date	from a foreign patent office in a related application not
	If this box is checked, Applicant provides the following:			
Certification Under 37 C.F.R. §1.704(d)				
	In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form SB08 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filling of this Information Disclosure Statement.			
	The Examiner is hereby advised of the following co-pending U.S. applications. A py of each U.S. patent application publication (if published) or application (if not blished) is enclosed.			
	App	lication No.	Filing Date	Group

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form SB08, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

## FEE AUTHORIZATION

Please charge any required fee or credit overpayment to Deposit Account No. 50-

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER & LARSON, P.C. P.O. Box 2902 Minneapolis, MN 55402 (612) 455 B800

Reg. No. 30,300

Dated: October 20, 2009 By:( Douglas P. Mueller

DPM/pjk

3478.

52835